

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ZHARIA CHARLES, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

COLOR FACTORY, LLC,

Defendant.

Civil Action No. 1:24-cv-00322-JSR

Hon. Jed S. Rakoff

**NOTICE OF UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that on July 9, 2024, at 3:00 p.m., upon: (1) the accompanying Memorandum of Law; and (2) the Declaration of Philip L. Fraietta, and the exhibits attached thereto (including the Parties' Class Action Settlement Agreement); Plaintiff Zharia Charles, through her undersigned attorneys, will move this Court, before the Honorable Jed S. Rakoff, United States District Court Judge, Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, for an Order, pursuant to Federal Rule of Civil Procedure 23(e): (i) granting preliminary approval of the Class Action Settlement; (ii) provisionally certifying the Settlement Class under Federal Rule of Civil Procedure 23(b)(3) in connection with the settlement process; (iii) appointing Philip L. Fraietta and Stefan Bogdanovich of Bursor & Fisher, P.A. as Class Counsel; (iv) appointing Zharia Charles as the Class Representative for the Settlement Class; and (v) granting such other, further, or different relief as the court deems just and proper.

\* \* \*

A Proposed Preliminary Approval Order is submitted herewith.

Dated: June 28, 2024

Respectfully submitted,

**BURSOR & FISHER, P.A.**

By: /s/ Philip L. Fraietta  
Philip L. Fraietta

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*Proposed Class Counsel*